

REMARKS

Claims 1-52 are pending in this application, of which, claims 12-23, 35-49, 51 and 52 have been withdrawn from consideration. By this amendment, Applicant has amended claim 50. Claims 1, 24 and 50 are independent.

Claims 1 and 24, and amended claim 50, require that the transmission image designation file used for designating image files to be transmitted in the transmission step and the list holding the information on the image files transmitted in the transmission step together with the transmission order are two completely different files having different file names and the same format.

Contrary to the Advisory Action mailed on October 28, 2003, Applicant respectfully submits that U.S. Patent No. 6,237,010 to Hui et al. ("Hui") does not disclose generating a list after transmitting image files in step S311. Hui merely provides that step S311 publishes (transmits) selected types of information stored in a FlashPix file that is generated in step S309 before publishing the images (col. 15, lines 46-57). There simply is no teaching in Hui about newly creating a list having a file name different from that of a file, such as "album" file in Hui, col. 7, line 23, after publishing the images. Applicant asserts that publishing image files and generating a list of transmitted images and the transmission order are two different operations, since the list is not necessarily generated after the publication.

The Advisory Action alleges that the list of claims 1, 24 and 50 is disclosed in Figs. 24 and 25 of Hui. Applicant respectfully disagrees. Figs. 24 and 25 merely show examples of what HTML pages look like, and those pages are generated before they are published as taught in col. 18, lines 27-31 of Hui. In short, there is no teaching in Hui about making any list, after publication, that causes the display shown in Figs. 24 and 25. Therefore, Applicant respectfully submits that

Figs. 24 and 25 show HTML pages that are generated before publishing.

For the foregoing reasons, Applicant respectfully submits that Hui does not disclose the first list generation step/means of claims 1 and 24 or “the code means for causing said image transmitting apparatus to generate a list” of claim 50. Furthermore, since the list of the transmitted images and the transmission order is not disclosed in Hui, it is naturally impossible to output the transmitted image files and the transmission order using the list, as further required by each of these claims. Thus, the output step, the control means and the program code means for outputting of claims 1, 24 and 50, respectively, are also not disclosed in Hui.

Accordingly, Applicant respectfully submits that claims 1, 24 and 50 are allowable over Hui. Moreover, the dependent claims are allowable for at least the reasons set forth above in urging the allowance of the independent claims.

* * *

For the above stated reasons, this application is respectfully asserted to be in condition for allowance, and an early and favorable examination on the merits is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required by this response or any paper filed herewith, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4579. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an

extension of time to Deposit Account No. 13-4500, Order No. 1232-4579. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

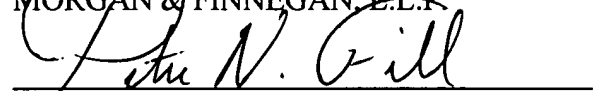
In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

Respectfully submitted,

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Dated: December 23, 2003

By:



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